REMARKS

In the Office Action, the Examiner rejected claims 1-36. By the present Response, Applicants amend claims 1, 12, 17, 27, 28, and 30-36 to further clarify the claimed subject matter. Upon entry of the amendments, claims 1-36 will remain pending in the present patent application. Applicants respectfully request reconsideration of the above-referenced application in view of the foregoing amendments and the following remarks.

Rejections Under 35 U.S.C. § 112

In the Office Action, the Examiner rejected claim 12 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Examiner noted that there was insufficient antecedent basis for "the electronic device" as recited in claim 12. Applicants thank the Examiner for noting this clerical error. As indicated above, Applicants have amended claim 12 to correct this informality. In light of this amendment, Applicants respectfully request withdrawal of the rejection of claim 12 under 35 U.S.C. § 112.

Rejections Under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 1-36 under 35 U.S.C. § 102(b) as anticipated by Dowling et al. (U.S. Patent No. 6,236,947). Applicants respectfully traverse this rejection.

Legal Precedent

Anticipation under Section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under Section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Moreover, the prior art reference also must show the

identical invention "*in as complete detail as contained in the ... claim*" to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989) (emphasis added). Accordingly, Applicants need only point to a single element not found in the cited reference to demonstrate that the cited reference fails to anticipate the claimed subject matter.

Omitted Features of Independent Claims 1, 17, 27, 30, and 34

Turning now to the present claims, the Dowling et al. reference fails to disclose each element of independent claims 1, 17, 27, 30, and 34. For instance, independent claim 1 recites a processor "operable to establish motor output power based on ... measurements taken from the motor while coupled to a load, *wherein the measurements taken from the motor while in a coupled state are the only measurements taken from the motor to establish the motor output power*" (emphasis added). Independent claims 17, 27, 30, and 34, similarly recite establishing various motor parameters, such as efficiency, output power, and electrical parameters, based on measurements taken from the motor in a coupled state, and that these measurements are the only motor measurements taken from the motor to establish the respective motor parameter. Because the Dowling et al. reference fails to disclose such elements, the cited reference fails to anticipate independent claims 1, 17, 27, 30, and 34.

As will be appreciated, the Dowling et al. reference is generally directed to determining the condition of a motor during operation. Col. 1, lines 9-13. However, as noted by the Examiner, Dowling et al. also disclose a method for determining the efficiency of a motor. Col. 24, line 48 – col. 25, line 62; *see* Office Action mailed October 31, 2005, page 3. Particularly, the Dowling et al. method for determining motor efficiency includes calculating individual phase resistances by solving a mathematical system of resistances "for the *uncoupled* and coupled cases" (emphasis added). Col. 24, lines 50-54. Further, this relevant passage of the Dowling et al. reference continues, stating that "[t]he resistances [of the mathematical system] should be *measured* as close

as possible to the temperature at which the other measurements are made" (emphasis added). Col. 24, lines 54-56. Still further, the process disclosed by Dowling et al. further requires calculating the *uncoupled* loss of the motor based on *uncoupled values* of current (I) and resistance (R). Col. 24, lines 58-67. This reference also notes that "[t]he values of V and I used in the above calculations correspond to the operating mode of the motor, i.e., *uncoupled* or loaded" (emphasis added). Output power and the efficiency of the motor may then be derived from these measurements taken from the motor in both coupled and uncoupled states. Col. 25, lines 52-62.

From at least these passages of the cited reference, it is evident that the Dowling et al. reference teaches, at best, a process for determining motor output power and efficiency based on measurements taken from the motor during *both coupled and uncoupled states*. Conversely, the present independent claims generally recite systems, methods, and computer program products that facilitate establishing motor parameters, such as output power and efficiency, in which the measurements taken from the motor to establish output power or efficiency may be solely those measured from the motor while coupled to a load. In other words, the present disclosure provides a technique for establishing output power and efficiency of a motor while coupled to a load without requiring uncoupled testing of the motor. This is directly contrary to the teachings of Dowling et al., in which uncoupled testing is necessary to determine output power and efficiency of a motor.

As such, Applicants respectfully submit that the Dowling et al. reference fails to disclose a processor "operable to establish motor output power based on ... measurements taken from the motor while coupled to a load, wherein the measurements taken from the motor while in a coupled state are the only measurements taken from the motor to establish the motor output power," as recited by independent claim 1. Further, Applicants respectfully submit that the Dowling et al. reference cannot be reasonably considered to disclose establishing the other parameters set forth in independent claims 17, 27, 30, and 34,

in which the measurements from the motor used in establishing the parameter may simply be measurements taken from the motor only while in a coupled state. Because the Dowling et al. reference fails to disclose each and every element, the cited reference cannot anticipate the present claims. Consequently, independent claims 1, 17, 27, 30, and 34, as well as their dependent claims, are patentable over the Dowling et al. reference and are believed to be in condition for allowance.

For at least these reasons, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 102 and allowance of claims 1-36.

Conclusion

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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